

From the Upper Chamber



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Report for Friday, April 4, 2008 *Sine Die*

The fortieth day of the 2008 legislative session was called to order by Lieutenant Governor **Casey Cagle**.

Senator **Don Balfour** of the 9th stated that the journal had been read and was found to be correct.

The clerk read the reports of standing committees and second readers.

Majority Leader **Tommie Williams** of the 19th moved to suspend the morning roll call. There was no objection.

Sen. **Chip Rogers** of the 21st led the Senate in the Pledge of Allegiance. He then introduced the *Chaplain of the Day*, Reverend **Carl Moore** of Allen Temple in Woodstock, who led the Senate in the daily devotional.

Sen. **Emanuel Jones** of the 10th rose on a Point of Personal Privilege to commemorate the 40th anniversary of the assassination of civil rights leader, Dr. **Martin Luther King, Jr.**

Sen. **Nan Orrock** of the 36th rose on a Point of Personal Privilege to also commemorate the life and leadership of Dr. **King**.

Sen. **Dan Moody** of the 56th introduced the *Doctors of the Day*, Dr. **William McDonald** of Sandy Springs and Dr. **Eve Byrd** of Decatur.

Sen. **Joseph Carter** of the 13th rose on a Point of Personal Privilege to recognize the passing of Major **Jack L. Woolard** of the Tift County Sheriff's Department.

Sen. **Valencia Seay** of the 34th rose on a Point of Personal Privilege to recognize the work of Dr. **King** in his quest for equal rights and to urge the support for a monument of Dr. **King** at the U.S. Capitol.

The clerk read SR 1320, which recognizes **Clement “Clem” McIntosh II** on the occasion of his retirement from Georgia Public Television. Sen. **Steve Thompson** of the 33rd took the rostrum to speak to the resolution.

Sen. **Kasim Reed** of the 35th rose on a Point of Personal Privilege to commend the exemplary life of Dr. **King**.

Sen. **Nancy Schaefer** of the 50th rose on a Point of Personal Privilege to thank her colleagues for their friendship over the years and to express how much she has enjoyed the opportunity to serve in the Senate with them.

Sen. **Vincent Fort** of the 39th rose on a Point of Personal Privilege to reflect on the legacy of Dr. **King**

Sen. **Ed Harbison** of the 15th rose on a Point of Personal Privilege to acknowledge the life of Dr. **King** and his principles of non-violence.

The Senate Consent Calendar of Privileged Resolutions, consisting of Senate Resolutions 1311-1334 and House Resolution 1115, was unanimously adopted.

The Senate Local Consent Calendar, consisting of House Bills 493,816, 1190-1192, 1416, 1437, 1447, 1452, 1469, 1471, 1472, 1478-1480, 1483, 1484 and 1486-1491, was adopted by a vote of 43 to 0.

Sen. **Williams** moved to dispense with the reading of the Governor’s appointments. There was no objection.

Sen. **Williams** moved to confirm the Governor’s appointments. The motion passed by a vote of 48 to 1.

President Pro Tempore **Eric Johnson** of the 1st moved that the Senate disagree to the House Amendment to the Senate Substitute to HB 1209, which will allow all local school systems to develop a contract with the State Board of Education to measure the improvement of school performance.

Sen. **John Bulloch** of the 11th moved that the Senate agree to the House Substitute to SB 492 as amended. He took the well to speak to the bill, which allows high schools accredited by the Florida Council of Independent Schools to be eligible for the HOPE scholarship. He yielded to questions from Sen. **Mitch Seabaugh** of the 28th.

The motion to agree passed by a vote of 49 to 0.

Sen. **Rogers** moved to insist on the Senate Substitute to HB 1168, which makes slight changes to provisions of the “hotel/motel” tax.

Sen. **Seabaugh** moved to insist to the Senate Substitute to HB 1113, which increases punishments for the misuse of government purchase cards.

Sen. **Preston Smith** of the 52nd moved that the Senate adhere to its position to SB 355, which defines the forms of payment that a settlement agent must receive prior to making a disbursement, and that a Conference Committee be appointed. Senators **Carter, Bill Cowsert** of the 46th and **Smith** were appointed to the committee.

Sen. **Jeff Mullis** of the 53rd moved to disagree to the House Amendment to the Senate Substitute to HB 670, which provides several tax relief measures, including a tax credit for wood residuals and for the implementation of energy efficient projects.

Sen. **Mullis** moved to take HB 1035 from the table. The clerk read the bill, which extends the sunset date for a motor fuel tax exemption for certain public transportation and public campus transportation systems.

Sen. **Seabaugh** moved to “un-engross” HB 1035.

Sen. **Mullis** took the well to present the bill.

The clerk read Amendment 1, which changes the effective date.

Amendment 1 was unanimously adopted.

HB 1035 passed as amended by a vote of 51 to 0.

Sen. **Smith** moved to lift HB 977 from the table. There was objection, but the motion passed by a vote of 28 to 18.

The clerk read HB 977, which exempts certain high deductible health plans from insurance premium taxes. Sen. **Judson Hill** of the 32nd took the well to present the bill.

Sen. **Thompson** of the 33rd took the well to speak to the bill.

Sen. **Orrock** took the well to present Amendment 1, which removes an exemption for insurance companies on paying sales taxes on premiums.

Sen. **Williams** moved the previous question. This motion passed by a vote of 33 to 19.

Sen. **Orrock** moved to withdraw Amendment 1. There was no objection.

Sen. **Steve Henson** of the 41st moved to withdraw Amendment 2, which adds additional definitions and makes other language clarifications.

The Committee Substitute to HB 977 failed to be adopted by a vote of 0 to 36.

HB 977 passed by a vote of 30 to 20.

Sen. **Rogers** moved that the Senate adhere to its amendment to HB 1244, which extends the time period for employers to receive a teleworking income tax credit, and that a Conference Committee be appointed. Sens. **Balfour**, **Rogers** and **Seabaugh** were appointed to the committee.

Sen. **Rogers** moved that the Senate adhere to its disagreement to the House Amendment to the Senate Substitute of HR 1246, which provides an income tax credit for broadcasting and insurance companies, and that a Conference Committee be appointed. Sens. **Balfour**, **Rogers** and **Seabaugh** were appointed to the committee.

Sen. **Johnson** moved to disagree to House Amendment to the Senate Substitute to HB 1158, which sets forth a referendum vote to impose a \$10 fee on car tags for trauma funding.

Sen. **Johnson** moved to agree to the House Substitute to SB 1 as amended, which prohibits sex offenders from taking photographs of minors. He took the well to present the bill and yielded to questions from Sens. **Fort**, **Seth Harp** of the 29th and **Orrock**. SB 1 passed by a vote of 41 to 8.

Sen. **John Wiles** of the 37th moved to lift HB 978 from the table. There was objection, but the motion passed by a vote of 28 to 18.

The clerk read HB 978, which allows law enforcement to impound vehicles belonging to unlicensed drivers. Sen. **Wiles** took the well to present the bill.

Sen. **Renee Unterman** of the 45th took the well to voice her concerns about discrimination based upon the inconsistencies of towing vehicles in the bill. She yielded to questions to from Sen. **Orrock**.

Sen. **Jones** took well to speak against the bill, stating that it could hurt small business owners.

Amendment 1 was unanimously adopted, which allows vehicles to be released to an owner who displays an unexpired driver's license or to an owner's spouse, child or other relation who can provide proof of relationship.

Amendment 2 was unanimously adopted, which removes language regarding non-resident drivers.

Amendment 3 was unanimously adopted, which adds additional language regarding fines levied under the bill.

The Committee Substitute was unanimously adopted as amended.

HB 978 passed by substitute by a vote of 32 to 18.

The Senate stood at ease for lunch and reconvened at 1:30 p.m.

Sen. **Bill Hamrick** of the 30th moved that the Senate adhere to its disagreement to the House Substitute to SB 169, which allows students to apply for loans from the Georgia Student Finance Authority to attend college. A Conference Committee consisting of Sens. **Michael Meyer von Bremen** of the 12th, **Harp** and **Hamrick** was appointed.

Sen. **Cowsert** moved that the Senate adhere to its amendment to HB 958, which clarifies the appeal procedure for certain judgments in magistrate court. A Conference Committee consisting of Sens. **Wiles**, **Cowsert** and **Smith** was appointed.

Sen. **Seabaugh** moved that the Senate adhere to its substitute to HB 1113, which increases penalties for the misuse of state government purchasing cards. A Conference Committee consisting of Sens. **Ronnie Chance** of the 16th, **Ed Tarver** of the 22nd and **Seabaugh** was appointed.

Sen. **Johnny Grant** of the 25th moved that the Senate adhere to its position on HB 1116, which increases the reimbursement rate to county jails that house state inmates. A Conference Committee consisting of Sens. **Carter**, **Chance** and **Grant** was appointed.

Sen. **Bill Heath** of the 31st moved that the Senate agree to the House Substitute to SB 327 as amended, which allows teachers to return to work and still draw their pension benefits. He took the well to present the amendment, which restores provisions that set forth the process for implementing divestment legislation. He yielded to questions from Sen. **Unterman**.

The motion to agree passed by a vote of 40 to 6.

Sen. **David Shafer** of the 48th moved that the Senate adhere to its amendment to HB 1280, which will allow for alcohol to be sold on Sundays at Gwinnett's new minor-league ballpark. A Conference Committee consisting of Sens. **Unterman**, **Shafer** and **Mullis** was appointed.

Sen. **Johnson** moved that the Senate adhere to its substitute to HB 1246, which includes broadcasting companies as a business that is eligible to receive income tax credits. A Conference Committee consisting of Sens. **Chance**, **Rogers** and **Harp** was appointed.

Sen. **Dan Weber** of the 40th moved to lift HB 336 from the table. He took the well to present the bill, which makes a fourth DUI offense within ten years punishable as a felony.

The Committee Substitute to HB 336 was unanimously adopted.

HB 336 passed by substitute by a vote of 50 to 0.

Sen. **Shafer** moved that the Senate disagree to the House Amendment to SB 305, which extends protection to corporations that provide assistance during disasters or emergencies in the state. There was no objection.

Sen. **Lee Hawkins** of the 49th moved to lift HB 180 from the table. He took the well to present the bill, which prohibits certain prescription drugs from being included on the preferred drugs list. He also explained Amendment 1, which expedites the process for placing Georgia-manufactured drugs on the preferred drugs list. He yielded to questions from Sen. **Thompson** of the 33rd.

Sen. **Hawkins** moved to withdraw Amendment 1 and to consider Amendment 2. There was no objection.

Amendment 2 contains the same provisions as Amendment 1, with a few minor language changes.

Amendment 2 was unanimously adopted.

The Committee Substitute to HB 180 was unanimously adopted as amended.

HB 180 passed by substitute by a vote of 50 to 1.

Sen. **Mullis** moved to lift HR 1023 from the table. He took the well to present the resolution, which sets forth several road dedications.

Amendment 1, which provides for additional road dedications, was unanimously adopted.

The Committee Substitute to HR 1023 was unanimously adopted as amended.

HR 1023 was adopted by substitute by a vote of 51 to 0.

Sen. **Shafer** moved that the Senate insist on its substitute to HB 1299, which includes portions of several bills aimed at reforming Grady Hospital, including the *Public Hospital Integrity Act*, the *Whistleblower Open Settlements Act* and requires public hospitals to comply with open records laws. There was no objection.

Sen. **Thompson** of the 33rd moved that the Senate agree to the House Substitute to SB 398. He took the well to present the bill, which outlines the terms and qualifications for office of Powder Springs' mayor and city council.

The motion to agree passed by a vote of 54 to 0.

Sen. **Balfour** moved that the Senate agree to the House Substitute to SB 405. He took the well to present the bill, which updates the *Georgia Anatomical Gift Act*.

The motion to agree passed by a vote of 48 to 0.

Sen. **Balfour** moved that the Senate agree to the House Substitute to SB 451, known as *Protecting Georgia's Investment Act*. He took the well to present the bill, which requires boards administering public retirement funds in Georgia to identify all companies making investments in Iran. He yielded to questions from Sens. **Thompson** of the 33rd and **Heath**.

Sen. **David Adelman** of the 42nd took the well to commend Sen. **Balfour**'s efforts in authoring the bill, and urged the Senate's support of the bill.

Sen. **Hill** of the 32nd took the well to urge passage of the bill.

The motion to agree passed by a vote of 46 to 3.

Sen. **Harbison** moved that the Senate adopt the Conference Committee Report on SB 345. He took the well to speak to the report, which removes educational barriers imposed on military children who frequently transfer schools.

The motion to adopt the report passed by a vote of 55 to 0.

Sen. **Johnson** moved that the Senate agree to the House Substitute to SB 379. He took the well to present the bill, which incorporates provisions of SB 408, the *Telecommunications Competition Act*, which establishes a uniform franchise agreement for phone companies. He yielded to questions from Sen. **Fort**.

Sen. **Shafer** took the well to further explain the bill and yielded to questions from Sens. **Harp**, **Fort** and **Curt Thompson** of the 5th.

The Senate agreed by a vote of 45 to 4.

Sen. **Williams** moved that the Senate agree to the House Substitute to SB 480. He took the well to present the bill, which allows students who attend colleges seeking re-accreditation to maintain the HOPE Scholarship.

The motion to agree passed by a vote of 51 to 0.

Sen. **Williams** moved that the Senate adopt the Conference Committee Report to HB 68. He took the well to speak to the report, which allows multiple private owners with adjoining lots to construct a single private dock.

The motion to adopt the report passed by a vote of 49 to 1.

Sen. **Meyer von Bremen** moved that the Senate agree to the House Amendment to the Senate Substitute to HB 470. He took the well to speak to the bill known as the "Georgia Lemon Law," which creates an expedited process to resolve complaints and disputes concerning new motor vehicles that are defective.

The motion to agree passed by a vote of 48 to 0.

Sen. **Meyer von Bremen** moved that the Senate agree to the House Substitute to SB 508. He took the well to speak to the bill, which is a housekeeping measure that updates provisions relating to probate courts.

The motion to agree passed by a vote of 52 to 0.

Sen. **Hamrick** moved that the Senate agree to the House Amendment to the Senate Substitute to HB 130. He took the well to present the bill, which allows consumers to place or remove a freeze on their credit for a \$3 fee.

The motion to agree passed by a vote of 52 to 0.

Sen. **Hamrick** moved that the Senate agree to the House Substitute to SB 358. He took the well to present the bill, which significantly updates Georgia's securities law.

The motion to agree passed by a vote of 42 to 1.

As a special honor to Sen. **Meyer von Bremen** on the occasion of his retirement from the Senate, Lt. Gov. **Cagle** invited him to preside over the chamber.

Sen. **Hamrick** moved that the Senate agree to the House Substitute to SB 396. He took the well to present the bill, which transfers the payroll functions of superior court judges from the Department of Administrative Services to the Council of Superior Court Judges.

The motion to agree passed by a vote of 51 to 0.

Sen. **Hamrick** moved that the Senate adopt the Conference Committee Report to SB 430. He took the well to present the bill, which allows the Georgia Bureau of Investigation (GBI) to take DNA from an investigation and compare it to samples contained in their database.

The Conference Committee report to SB 430 was adopted by a vote of 46 to 1.

Sen. **Hamrick** moved that the Senate agree to the House Substitute to SB 351. He took the well to explain the bill, which changes foreclosure notice provisions.

The Senate agreed by a vote of 50 to 0.

Sen. **Mullis** moved that the Senate agree to the House Substitute to SB 417. He took the well to explain the bill, which requires the DOT to develop and publish benchmarks and issue reports on the progress of construction projects.

The motion to agree passed by a vote of 50 to 0.

Sen. **Mullis** moved that the Senate agree to the House Substitute to SB 437. He took the well to present the bill, which allows the Department of Revenue to certify kit vehicles and motorcycles.

The motion to agree passed by a vote of 47 to 0.

Sen. **Mullis** moved that the Senate agree to the House Substitute to SB 479. He took the well to present the bill, which places a cap on annual ambulance licensing fees.

The motion to agree passed by a vote of 48 to 0.

Sen. **Mullis** moved that the Senate agree to the House Substitute to SR 781. He took the well to speak to the resolution, which requires the DOT to develop a statewide strategic transportation plan.

The motion to agree passed by a vote of 49 to 0.

Sen. **Mullis** moved that the Senate agree to the House Substitute to SR 1055. He took the well to present the resolution, which provides for several road and bridge dedications.

The motion to agree passed by a vote of 46 to 1.

Sen. **Mullis** moved that the Senate adopt the Conference Committee Report to HB 1111. He took the well to explain the bill, which clarifies discrepancies in the Department of Driver Services' administrative functions.

The motion to adopt the report passed by a vote of 45 to 4.

Sen. **Dan Moody** of the 56th moved that the Senate agree to the House Substitute to SB 344. He took the well to speak to the bill, which abolishes inactive state boards and commissions.

The motion to agree passed by a vote of 48 to 0.

Sen. **Moody** moved that the Senate agree to the House Substitute to SB 507. He took the well to present the bill, which establishes requirements for therapy services for disabled children.

The motion to agree passed by a vote of 49 to 0.

Sen. **Rogers** moved that the Senate disagree to the House Amendment to the Senate Substitute to HB 864, which establishes the *Georgia Health Marketplace Act*, an internet portal that will provide consumers with access to healthcare products and programs.

Sen. **Bulloch** moved that the Senate agree to the House Substitute to SB 466. He took the well to present the bill, which exempts car washes and swimming pools from statewide water restrictions.

The motion to agree passed by a vote of 47 to 0.

Sen. **Chip Pearson** of the 51st moved that the Senate disagree to the House Amendment to the Senate Substitute to HB 950, which provides several provisions for assembled vehicles and motorcycles, including requiring that a certificate of title must be obtained for a kit vehicle or motorcycle before registration is issued.

Sen. **Ralph Hudgens** of the 47th moved that the Senate agree to the House Substitute to SB 470. He took the well to present the bill, which requires insurance companies to file an actuarial opinion statement with the Insurance Commissioner to provide for early warnings of a company that may be in trouble.

The motion to agree passed by a vote of 47 to 0.

Sen. **Cecil Staton** of the 18th moved that the Senate adhere to its substitute to HB 1158, which sets forth a referendum vote to impose a \$10 fee on car tags for trauma funding, and that a Conference Committee be appointed. Sens. **Johnson, Staton** and **Adelman** were appointed.

Sen. **Hudgens** moved that the Senate agree to the House Substitute to SB 471. He took the well to present the bill, which requires domestic insurance companies to report financial examinations every five years to the Insurance Commissioner.

The motion to agree passed by a vote of 50 to 2.

Sen. **Reed** moved that the Senate agree to the House Substitute to SB 196. He took the well to present the bill, which provides scholarships to military children.

The Senate agreed by a vote of 49 to 0.

Sen. **Hill** of the 32nd moved that the Senate adhere to its position to SB 153, which exempts insurance companies from taxes on premiums paid for health savings accounts (HSA), and requires the Insurance Commissioner to develop flexible guidelines of coverage and approval of HSA high deductible plans. A Conference Committee was appointed, consisting of Sens. **Seabaugh, Hill** of the 32nd and **Hudgens**.

Sen. **Weber** moved that the Senate agree to the House Substitute to SB 374. He took the well to speak to the bill, which allows owners or contractors to shorten the timeframe in which a lien action may take place.

The motion to agree passed by a vote of 45 to 1.

Sen. **Hill** of the 32nd moved that the Senate agree to the House Substitute to SB 517. He took the well to present the bill, which allows disabled parking license plates to be issued to any businesses registered in Georgia that provide motor vehicles for the use of a disabled employee.

The motion to agree passed by a vote of 45 to 0.

Sen. **Pearson** moved that the Senate agree to the House Substitute to SB 421. He took the well to present the bill, which changes penalties for the falsification of identification documents. He yielded to questions from Sen. **Smith**.

The motion to agree passed by a vote of 45 to 1.

Sen. **Johnson** moved that the Senate adhere to its substitute to HB 1209, which allows local school systems to develop five year strategic plans, in conjunction with the Office of Student Achievement (OSA), to measure performance. A Conference Committee was appointed, consisting of Sens. **Johnson**, **Weber** and **Moody**.

Sen. **Grant** moved that the Senate agree to the House Substitute to SB 130. He took the well to speak to the bill, which is a housekeeping measure revising certain responsibilities of the Georgia Building Authority. He yielded to questions from Sen. **Thompson** of the 33rd.

The motion to agree passed by a vote of 45 to 0.

Sen. **Grant** moved that the Senate agree to the House Substitute to SB 175. He took the well to present the bill, which makes revisions to several facets of state government, including revising the competitive bidding procedure for state purchasing contracts, and renames the Department of Administrative Services as the Office of Treasury and Fiscal Services.

The motion to agree passed by a vote of 46 to 0.

Sen. **Grant** moved that the Senate agree to the House Substitute to SB 254. He took the well to present the bill, which outlines the indemnification program for law enforcement officers sustaining injuries while in the line of duty.

The motion to agree passed by a vote of 44 to 0.

Lt. Gov. **Cagle** took the gavel to preside over the Senate.

Sen. **Grant** moved that the Senate agree to the House Substitute to SB 366. He took the well to present the bill, which prohibits inmates from possessing cell phones.

The Senate agreed by a vote of 44 to 0.

Sen. **Jack Murphy** of the 27th moved that the Senate adopt the Conference Committee Report to SB 154. He took the well to present the bill, which requires municipal corporations to compensate waste haulers for economic loss sustained as a result of annexation or incorporation of new areas.

The Conference Committee report was adopted by a vote of 43 to 3.

Sen. **Grant** moved that the Senate agree to the House Substitute to SB 425. He took the well to present the bill, which authorizes the Commissioner of the Department of

Administrative Services to establish incentive programs and encourages state agencies to participate in loss control programs.

The motion to agree passed by a vote of 45 to 1.

Sen. **Grant** moved that the Senate agree to the House Substitute to SB 529. He took the well to present the bill, which increases penalties for drivers involved in a hit and run vehicular or boating accident that results in the death of another.

The motion to agree passed by a vote of 42 to 0.

Sen. **Grant** moved that the Senate agree to the House Substitute to SR 1012. He took the well to present the resolution, which provides for the conveyance of certain state property.

The motion to agree passed by a vote of 42 to 0.

Sen. **Rogers** moved that the Senate agree to the House Substitute to SB 488. He took the well to explain the bill, which allows a non-citizen who is eligible for a Georgia driver's license or state-issued ID to be issued a driver's license without having to surrender their foreign license or ID card.

The Senate agreed by a vote of 41 to 1.

Sen. **Rogers** moved that the Senate recede from its position on the Senate Substitute to HB 926. He took the well to speak to the bill, which is an annual housekeeping measure that corrects errors in the state tax code.

The motion to recede passed by a vote of 41 to 1.

Sen. **Heath** moved that the Senate agree to the House Substitute to SB 328. He took the well to present the bill, which seeks to attract state employees by increasing benefits and contributions to retirement plans. He yielded to questions from Sen. **Orrock**.

The motion to agree passed by a vote of 40 to 1.

Sen. **Carter** moved that the Senate agree to the House Substitute to SB 181. He took the well present the bill, which provides for the imposition of certain fees by rental car companies to recover costs.

The motion to agree passed by a vote of 45 to 0.

Sen. **Staton** moved that the Senate agree to the House Substitute to SB 24. He took the well to present the bill, which seeks to curb the crime of electronic "phishing" by prohibiting anyone from falsely representing themselves through the Internet or email to persuade someone to provide identifying information, such as social security numbers or passwords.

The motion to agree passed by a vote of 44 to 0.

Sen. **Staton** moved that the Senate agree to the House Substitute to SB 387, which tightens the control of absentee ballots requested by members of the military. He took the well to present the bill and yielded to questions from Sen. **Thomas** of the 2nd.

The motion to agree passed by a vote of 45 to 2.

Sen. **Cowsert** moved that the Senate agree to the House Substitute to SB 436. He took the well to present the bill, which increases the number of votes needed to elect a new director of a public corporation.

The Senate agreed by a vote of 43 to 0.

Sen. **Hawkins** moved that the Senate agree to the House Substitute to SB 341. He took the well to present the bill, which requires the Council on Aging to issue a report on Georgia's aging population to the Governor and the General Assembly by December 2010.

The motion to agree passed by a vote of 44 to 0.

Sen. **Murphy** moved that the Senate agree to the House Substitute to HB 969, outlining drivers education requirements.

The motion to agree passed by a vote of 43 to 1.

Sen. **Weber** moved to lift HB 1015 from the table. He took the well to present the bill, which provides for the conveyance of assets from a county to a newly created city. He yielded to questions from Sen. **Unterman**.

Sen. **Henson** took the well to present Amendment 1, which imposes restrictions on property to 75 acres or less.

Sen. **Ron Ramsey** of the 43rd took the well to speak against the bill.

Amendment 1 failed by a vote of 13 to 26.

Amendment 2 was unanimously adopted, which makes minor language changes.

Amendment 3 was unanimously adopted, which outlines provisions for the distribution of local option sales taxes.

The Committee Substitute to HB 1015 was unanimously adopted as amended.

HB 1015 passed by substitute by a vote of 35 to 15.

Sen. **John Douglas** of the 17th moved that the Senate agree to House Amendment to the Senate Substitute to HB 311, which allows the Georgia HERO scholarship to be awarded

to spouses of deceased or disabled members the Georgia National Guard. He took the well to speak to the bill.

The motion passed by a vote of 47 to 0.

Sen. **Don Thomas** of the 54th moved to lift HB 1043 from the table. He took the well to present the bill, which revises the definition of “confirmed lead poisoning” in the *Childhood Lead Exposure Control Act*.

HB 1043 passed by a vote of 48 to 0.

Sen. **Bulloch** moved to adopt Conference Committee report for HB 1027. He took the well to speak to the bill and yielded to questions from Sen. **Unterman**.

The motion to adopt the report passed by a vote of 37 to 10.

The Senate stood at ease until 6:30 p.m.

Sen. **George Hooks** of the 14th took the gavel to preside over the Senate.

Sen. **Jack Hill** of the 4th moved to adopt the Conference Committee report to HB 990, the *FY 09 General Appropriations Act*. He took the well to present the bill and yielded to questions from Sens. **Seay** and **Harbison**.

Sen. **Johnson** moved for a quorum call. The quorum call was 44 to 5.

After some discussion, the Conference Committee report was adopted by a vote of 51 to 0.

Sen. **Grant** moved to adopt the Conference Committee report to HB 1116. He took the well to speak to the bill.

The Conference Committee report to HB 1116 was adopted by a vote of 48 to 0.

Sen. **Bulloch** moved to adopt the Conference Committee report to SB 429. He took the well to speak to the bill.

The Conference Committee report to SB 429 was adopted by a vote of 49 to 0.

Sen. **Bulloch** moved to agree to the House Amendment to the Senate Substitute to HB 239. He took the well to present the bill and yielded to questions from Sen. **Harp**.

The motion to agree passed by a vote of 34 to 13.

Sen. **Johnson** moved to agree to the House Amendment to the Senate Substitute to HB 1329. He took the well to speak to the bill.

The motion to agree passed by a vote of 41 to 0.

Sen. **Reed** moved to agree to the House Substitute to SB 325, which provides a homestead exemption for Atlanta senior citizens. He took the well to speak to the bill.

The motion to agree passed by a vote of 46 to 0.

Sen. **Grant** moved to agree to the House Amendment to the Senate Substitute to HB 535, which makes provisions for the Office of the Disability Services Ombudsman. He took the well to present the bill.

The motion to agree passed by a vote of 46 to 0.

Sen. **Mullis** moved to adhere to the Senate position to HB 670, which provides tax credits for those who transport or divert wood residuals. A Conference Committee was appointed consisting of Sens. **Doug Stoner** of the 6th, **Seabaugh** and **Mullis**.

Sen. **Stoner** moved to agree to the House Amendment to the Senate Substitute to HB 280. He took the well to present the bill and yielded to questions from Sens. **Thompson** of the 33rd.

The motion to agree passed by a vote of 41 to 3.

Sen. **Mullis** moved to disagree to House Amendment to the Senate Substitute to HB 1220, which allows the spouse of a deceased firefighter to continue to be issued a special firefighter's license plate. There was no objection.

Sen. **Shafer** moved to agree to the House Substitute to SB 113. He took the well to present the bill.

The motion to agree passed by a vote of 42 to 1.

Sen. **Smith** moved to adopt the Conference Committee report to SB 145. He took the well to present the bill.

The Senate adopted the report on SB 145 by a vote of 46 to 0.

Sen. **Hill** of the 32nd moved to disagree to the House Amendment to the Senate Substitute to HB 544.

Sen. **Meyer von Bremen** moved to adhere to Senate's position to SB 169 and appoint a Conference Committee, consisting of Sens. **Meyer von Bremen**, **Harp** and **Hamrick**.

Sen. **Williams** moved to adhere to the Senate position to HB 1168, which makes changes to the "hotel/motel" tax. A Conference Committee was appointed, consisting of Sens. **Rogers**, **Pearson** and **Hawkins**.

SR 1336-1349 were read and adopted.

Lt. Gov **Cagle** took the gavel to preside over the Senate.

Sen. **Thomas** of the 54th moved to lift HB 1321 from the table. The clerk read HB 1321, which makes changes in K-12 student codes of conduct to address students who make false statements regarding inappropriate behavior of school employees. He took the well to present the bill.

The Committee Substitute to HB 1321 was unanimously adopted.

HB 1321 passed by substitute by a vote of 47 to 0.

Sen. **Rogers** moved to adopt the Conference Committee Report to SB 300, known as the *Transparency in Government Act*. He took the well to present the bill.

The motion to adopt the report to SB 300 passed by a vote of 47 to 0.

Sen. **Rogers** moved to adopt the Conference Committee report to HB 1246. He took the well to present the bill and yielded to questions from Sen. **Adelman**.

The motion to adopt the report to HB 1246 passed by a vote of 46 to 3.

Sen. **Rogers** moved to agree to the House Substitute to SB 16, which makes it a misdemeanor offense to remove a collar from a dog without the owner's permission. He took the well to present the bill.

The motion to agree passed by a vote of 45 to 3.

Sen. **Johnson** took the gavel to preside over the Senate.

Sen. **Greg Goggans** of the 7th moved to lift HB 1234 from the table. There was no objection.

The clerk read HB 1234, known as the Medicaid Care Management Organizations Act, which outlines the guidelines for care management organizations (CMOs) that contract with the Department of Community Health (DCH) to provide health services to Medicaid and PeachCare recipients. Sen. **Goggans** took the well to present the bill.

The Committee Substitute to HB 1234 was unanimously adopted.

HB 1234 passed by substitute by a vote of 45 to 1.

Sen. **Seabaugh** moved to adopt the Conference Committee report to HB 1113. He took the well to present the bill.

The motion to adopt the report to HB 1113 passed by a vote of 42 to 0.

Sen. **Shafer** moved to adhere to the Senate's position to SB 305 and that a Conference Committee be appointed, consisting of Sens. **Shafer**, **Smith** and **Moody**.

SR 1350-1357 were read and adopted.

The Senate stood at ease until 8:30 p.m.

As the Senate returned, Lt. Gov. **Cagle** took the gavel to preside over the Senate.

Sen. **Rogers** moved to adopt the Conference Committee report to HB 89 concerning guns. He took the well to present the bill and yielded to questions from Sens. **Heath**, **Orrock**, **Thompson** of the 33rd and **Fort**.

Sen. **Williams** moved for the previous question. The motion passed by a vote of 30 to 17.

The motion to adopt the report to HB 89 passed by a vote of 40 to 15.

Sen. **Hawkins** moved to lift HB 367 from the table. He took the well to present the bill, which outlines health insurance coverage of generic drugs. He also spoke to Amendments 1 and 2. He yielded to questions from Sen. **Unterman**.

Amendment 1 was unanimously adopted, setting forth provisions relating to healing arts practitioners.

Amendment 2 was unanimously adopted, adding a new code section regarding the prescribing of drugs for organ transplant patients.

The Committee Substitute to HB 367 was unanimously adopted as amended.

HB 367 passed by substitute by a vote of 48 to 2.

Sen. **Shafer** moved that the Senate agree to the House version of SB 12 as amended. He took the well to present the bill, which applies the periodic application of zero-based budgeting to the state budget process. Amendment 1 makes a minor language correction.

The motion to agree passed by a vote of 46 to 0.

Sen. **Williams** moved that the Senate agree to the House Substitute to SB 433. He took the well to present the bill, which makes revisions to the Certificate of Need (CON) regulations in the state. He yielded to questions from Sens. **Tarver**, **Ramsey** and **Harbison**.

The motion to agree passed by a vote of 44 to 6.

HB 750 was read for the first time and assigned to committee.

Sen. **Staton** moved that the Senate agree to the House Substitute to SB 474. He took the well to present the bill, which makes several provisions aimed at shielding children from harmful online activity.

The motion to agree passed by a vote of 48 to 0.

Sen. **Hill** of the 32nd moved to recede from the Senate Substitute to HB 963. He took the well to present the bill, which provides for the production of commemorative soccer license plates and other special plates.

The motion to recede passed by a vote of 45 to 1.

Sen. **Shafer** moved that the Senate agree to the House Substitute to SR 822. He took the well to present the bill, which establishes the Georgia-Tennessee boundary line commission.

The motion to agree passed the Senate by a vote of 47 to 0.

Sen. **Mullis** moved that the Senate insist on its amendment to HB 1035. There was no objection.

Sen. **Jones** moved that the Senate agree to the House Substitute to SB 52. He took the well to present the bill, which allows County Commission to set meeting agendas.

The motion to agree passed by a vote of 46 to 1.

Sen. **Heath** moved that the Senate agree to the House Substitute to SB 382 as amended, which makes changes to fees for obtaining a game/fish license in Georgia. He yielded to questions from Sen. **Goggans**.

The motion to agree passed by a vote of 37 to 11.

Sen. **Weber** moved that the Senate agree to the House Substitute to SB 381, which requires the Office of Vital records to issue stillbirth certificates.

The motion to agree passed by a vote of 43 to 0.

Sen. **Hamrick** moved that the Senate adopt the Conference Committee Report to SB 169.

The Conference Committee report was adopted by a vote of 43 to 1.

Sen. **Wiles** moved that the Senate adopt the Conference Committee Report to HB 1245. He yielded to questions from Sen. **Thompson** of the 33rd.

The motion to adopt the report passed by a vote of 40 to 7.

Sen. **Shafer** moved that the Senate adopt the Conference Committee Report on HB 1280.

The report was adopted by a vote of 36 to 10.

Sen. **Mullis** moved that the Senate agree to the House Amendment to the Senate Substitute to the HB 1220.

The motion to agree passed by a vote of 45 to 0.

Sen. **Rogers** moved that the Senate adopt the Conference Committee Report to HB 958. He took the well to present the bill, which makes changes to civil proceedings in magistrate court.

Sen. **Cowsert** took the well to speak to the bill and discuss the dismissal of cases in magistrate courts due to lack of attendance from plaintiffs and/or defendants.

The report was adopted by a vote of 44 to 0.

The clerk read SR 1310, which commends Sen. **Meyer von Bremen** for his years of service on the occasion of his retirement from the Senate. Sen. **Hooks** took the well to speak to the resolution. Sen. **Meyer von Bremen** then took the well to bid a final farewell to his Senate colleagues.

Sen. **Murphy** moved that the Senate disagree to the House Amendment to the Senate Substitute to HB 1221, which changes the minimum number of employees required to be covered under an insurance contract.

Sen. **Wiles** moved that the Senate read the Senate Local Consent Calendar. The Senate Local Consent Calendar, consisting of HB 493, 750, 816, 1190-1192, 1416, 1437, 1447, 1452, 1469, 1471, 1472, 1478-1480, 1483, 1484 and 1486-1491, was adopted by a vote of 45 to 0.

Sen. **Weber** moved that the Senate adopt the Conference Committee to HB 1209.

Sen. **Fort** took the well to address his concerns regarding civil rights protection in the bill.

The Conference Committee report was adopted by a vote of 30 to 15.

Sen. **Cowsert** moved that the Senate agree to the House Amendment to the Senate Substitute to HB 1163, which provides for a fifth superior court judge in the Brunswick Judicial Circuit.

The motion to agree passed by a vote of 42 to 0.

Sen. **Balfour** took the gavel to preside over the Senate.

Sen. **Weber** moved that the Senate agree to the House Amendment to the Senate Substitute to HB 881, which establishes the Georgia Charter Schools Commission. He yielded to questions from Sens. **Hill** of the 4th and **Adelman**.

The motion to agree passed by a vote of 30 to 21.

Sen. **Hamrick** moved that the Senate agree to the House Substitute to SB 406, which increases penalties for reproducing recorded material.

The motion to agree passed by a vote of 46 to 0.

Sen. **Douglas** moved to lift HB 373 from the table. He took the well to present the bill, which places limitations on Department of Public Safety employees from receiving benefits from the Employees Retirement System after returning to full-time employment following retirement.

Sen. **Shafer** took the well to explain Amendment 1, which allows members of the Judicial Retirement System to transfer their contributions to the Employees Retirement System.

Sen. **Heath** took the well to explain that both the bill and amendment are retirement measures, not public safety issues, and urged the Senate to vote against the bill. He yielded to questions from Sens. **Orrock** and **Tarver**.

Amendment 1 was adopted by a vote of 27 to 5.

The Committee Substitute to HB 373 was unanimously adopted as amended.

HB 373 passed by substitute by a vote of 45 to 3.

Sen. **Rogers** moved that the Senate agree to the House Amendment to the Senate Substitute to HB 948, which sets forth Georgia's seventh sales tax holiday.

The motion to agree passed by a vote of 47 to 0.

Sen. **Smith** moved that the Senate adopt the Conference Committee Report on SB 355.

The Conference Committee report was adopted by a vote of 46 to 0.

Sen. **Shafer** moved that the Senate adopt the Conference Committee Report to SB 305.

The Conference Committee report was adopted by a vote of 49 to 0.

Sen. **Hill** of the 32nd moved the Senate adhere to its position on HB 544, which allows for the creation of health insurance pools for Georgia's private colleges. A Conference Committee was appointed, consisting of Sens. **Hill** of the 32nd, **Goggans** and **Chance**.

SR 1358 and 1359 were read and adopted.

Sen. **Rogers** moved that the Senate adopt the Conference Committee Report on HB 1168.

The Conference Committee report was adopted by a vote of 43 to 5.

Sen. **Unterman** moved that the Senate agree to the House Substitute to SR 445, which creates the Joint Commercial Sexual Exploitation of Minors Study Committee.

The motion to agree passed by a vote of 51 to 0.

Sen. **Mullis** took the well to announce that the Conference Committee Report on SR 845, a Constitutional Amendment authorizing county governments to propose a one percent sales tax to fund local transportation projects, had been placed on the Senators' desks and would soon be up for a vote.

Sen. **Chance** moved that the Senate adopt the Conference Committee Report to HB 1055, which is a housekeeping bill for the Secretary of State's licensing provisions.

The Conference Committee report was adopted by a vote of 48 to 0.

Sen. **Hill** of the 32nd moved that the Senate adopt the Conference Committee Report to SB 153, which requires the Commissioner of Insurance to develop consumer-driven health insurance plans with health and wellness promotion programs included. ■

Sen. **Thompson** of the 33rd took the well to discuss concerns with legislation attached to the bill.

Sen. **Hill** of the 32nd moved to withdraw his motion on HB 153. There was no objection.

Sen. **Mullis** moved that the Senate adopt the Conference Committee Report to HB 670.

The Conference Committee report was adopted by a vote of 47 to 3.

Sen. **Harp** moved that the Senate agree to the House Amendment to the Senate Substitute to HB 119, which increases salaries for judges and justices across the state. He yielded to questions from Sen. **Unterman**.

The motion to agree passed by a vote of 52 to 0.

Sen. **Mullis** moved that the Senate adhere to its amendment to HB 1035, which is the enabling legislation for SR 845. SR 845 is a Constitutional Amendment that provides for a sales and use tax of 1 percent to fund transportation in regional commission areas. A Conference Committee was appointed, consisting of Sens. **Stoner**, **Balfour** and **Mullis**.

Sen. **Mullis** moved to suspend rule 2-8.3b to allow for a vote on HB 1035. There was no objection. He then moved that the Senate adopt the Conference Committee Report.

The Conference Committee report to HB 1035 was then adopted by a vote of 31 to 20.

Sen. **Weber** moved that the Senate agree to the House Substitute to SR 996, a Constitutional Amendment that allows local governments to use school tax funds to finance community redevelopment programs. He took the well to present the bill.

The motion to agree failed by a vote of 35 to 16.

Sen. **Weber** moved for reconsideration. The motion to reconsider passed by a vote of 33 to 14.

Sen. **Weber** again took the well to clarify the intent of the bill.

Sen. **Reed** took the well to urge passage of the bill.

The Senate agreed by a vote of 43 to 9.

Sen. **Mullis** moved that the Senate adopt the Conference Committee Report to SR 845. He took the well to urge passage of the bill, and yielded to questions from Sen. **Unterman**.

The motion to adopt the report failed by a vote of 35 to 18.

Sen. **Adelman** moved to reconsider the vote.

Upon reconsideration, SR 845 again failed by a vote of 35 to 18.

Sen. **Pearson** moved that the Senate agree to the House Substitute to SB 342, which streamlines the permitting process for local governments to obtain new reservoir funding.

The motion to agree passed by a vote of 37 to 6.

Lt. Gov. **Cagle** then moved that the Senate stand adjourned Sine Die.

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